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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/733,539	12/11/2003	Timothy A. Tamcsin	20030317.ORI	2641
23595	7590	06/06/2005	EXAMINER	
NIKOLAI & MERSEREAU, P.A. 900 SECOND AVENUE SOUTH SUITE 820 MINNEAPOLIS, MN 55402			MILLS, DANIEL J	
			ART UNIT	PAPER NUMBER
			3679	

DATE MAILED: 06/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/733,539	Applicant(s) TAMCSIN, TIMOTHY A.	
	Examiner Daniel J. Mills	Art Unit 3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/11/2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION***Drawings***

The drawings are objected to because the shading of drawings (Figure 1 can not be shaded) is improper. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobacker (US 6,578,652), in view of the 2002 two brothers racing catalog page 77 (twobros).

As to claim 1, Kobacker discloses a clamp for a handlebar on a motorcycle comprising: a first split ring (62) for engaging a fork tube on the motorcycle, a second split ring (64) integrally connected to the first split ring, wherein both split rings have a locking portion (the flanges through which the bolts pass in figure 9) integral with the split ring having a bolt aperture (shown by the positioning of bolts 76, 78) through the locking portions, and a bolt (76, 78) for extending through the locking portion apertures for engaging the threads of the locking portion (one flange per ring is threaded) to adjust the size of gap between the locking portions and tightening or loosening the first split ring on the fork tube of the vehicle and tightening or loosening the second split ring on a handlebar.

Kobacker fails to disclose an arrangement for clamping the split rings, which includes cylindrical posts insertable into the locking portions of the split rings, and through which the bolt is attached.

Twobros (see Figure 1 in this action) teaches a split ring clamping arrangement in which a locking portion integral with the split ring has a first post aperture (2) and a second post aperture (1), one on either side of a gap in the split ring, and a bolt aperture (shown by the positioning of bolt 3) through the locking portions, a first post having a smooth wall aperture there through and a second post having an aperture with a

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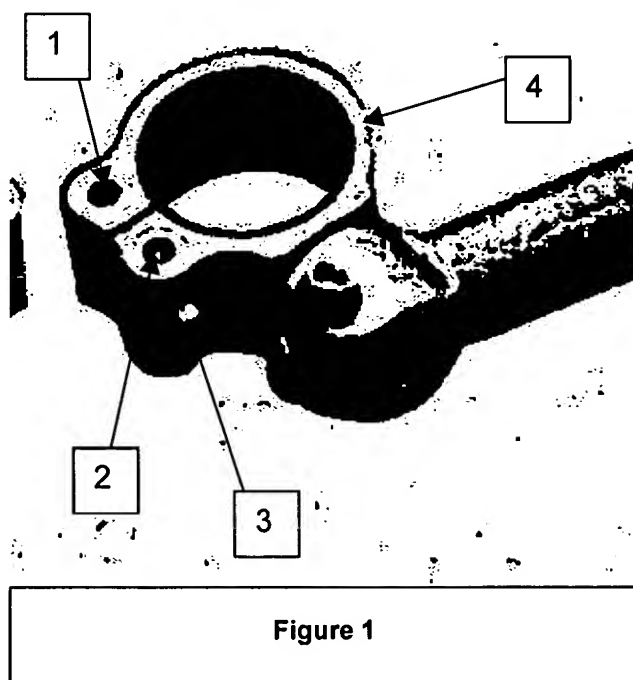
threaded wall there through (this is clearly true from the illustration), and a bolt (3) for extending through the locking portion apertures and the posts for engaging the threads of the second post to adjust the size of gap between the locking portions. This arrangement is taught as useful to distribute the clamping load over the entire split ring. Accordingly it would have been obvious to one of ordinary skill in the adjustable handle bar clamp art at the time of applicant's invention, to modify an arrangement as disclosed by Kobacker to include a clamping arrangement as taught by twobros for the purpose of evenly distributing the clamping load.

As to claim 2, Kobacker discloses a handlebar having a column (the portion of the bar within the clamp 64 as shown by figure 9) for engaging the second split ring (64), and a hand grip (68) portion extending from the column.

As to claim 3, Kobacker discloses a clamp for a handlebar on a motorcycle comprising: a first split ring (62) for adjustably engaging a fork tube on the motorcycle, a second split ring (64) integrally connected to the first split ring, a handlebar (68) adjustably held in place by the second split ring, wherein both split rings have a locking portion (the flanges through which the bolts pass) integral with their respective split rings, such that the first split ring can be tightened or loosened to install or adjust the position of the clamp axially and radially along the fork tube and the second split ring can be tightened or loosened to install or adjust the position of the handlebar axially and radially in the second split ring (this is done by shifting the eccentric bushing within the bore), whereby an infinite range of motion of the handlebars is allowed by independently moving the clamps up on down on the forks and rotating the clamps on the forks, and

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by independently moving the handlebars up and down in the clamps and rotating the handlebars in the clamps (the handle bars are moved up and down as they are rotated through a circle with the eccentric bushing).



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Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Henricksen (US 6,712,541), Rocket (US 6,662,680), Gogo (US 6,325,402), Klieber (US 6,394,694), Bontrager (US 5,603,521), Tsai US 5,931,049), Iteya (US 6,331,089) are cited for disclosing arrangements relating to adjustable vehicle handle bars.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel J. Mills whose telephone number is 571-272-8115. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on 571-272-7087. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DJM

DJM
5-26-05



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